

Department: Department of Correction

Sponsor(s): Agenbroad, Burtenshaw, Wintrow, Syme

Division(s): Medical Services

Program(s): Medical Services

Description(s): Balla Compliance Plan

**1. Background:**

This request is for \$3,171,500 in operating expenditures from the General Fund for the department to pay its private, for-profit medical services provider to comply with the National Commission on Correctional Health Care's (NCCHC's) audit recommendations, pursuant to court order in the Walter D. Balla et al. v. Idaho State Board of Correction (Balla) court case. In short, the audit recommendations now require the medical services provider to permit up to three health service requests (HSRs) per inmate per day (instead of one). This, in turn, required the medical services provider to hire additional staff. Of the total amount requested, \$1,878,800 is onetime to retroactively pay for the compliance costs of services provided from January of 2018 until May of 2019. Further, \$1,292,700 is ongoing to pay for such services in FY 2020 and beyond. This ongoing amount represents a \$0.46 increase in the per diem rate paid to the medical services provider. Assuming this request is funded, the \$0.46 increase in the per diem rate will be included in the contractual per diem rate for budgeting purposes.

**2. Agency Request/ Governor's Recommendation:****Medical Services:**

Fund	Type	OT	FTP	PC	OE	CO	TB	LS	Total
0001-00	Gen		0.00	0	1,292,700	0	0	0	1,292,700
0001-00	Gen	✓	0.00	0	1,878,800	0	0	0	1,878,800
<b>Total</b>			<b>0.00</b>	<b>0</b>	<b>3,171,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,171,500</b>

**3. Actions:**

- a. Reopen FY 2020 Budget:** Requires unanimous consent or 2/3 majority to reopen.

*"I request unanimous consent to reopen the fiscal year 2020 budget for the Department of Correction." [NOTE: the motion to reopen is not necessary if the department's budget has already been reopened]*

- b. Motion:**

*"I move for fiscal year 2020, for the Department of Correction, an ongoing increase of **\$1,292,700** in operating expenditures from the General Fund in the Medical Services Program and a onetime increase of **\$1,878,800** in operating expenditures from the General Fund in the Medical Services Program, for a total of **\$3,171,500**, for the purpose of Balla compliance."*

- c. Discussion:**

*"This motion provides the department with the necessary increase in its General Fund appropriation to comply with the National Commission on Correctional Health Care's (NCCHC's) audit recommendations, pursuant to court order in the Balla court case."*